

Please type a plus sign (+) inside this box

18351 U.S. PTO  
030104

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 133]  
*(preferred arrangement set forth below)*  
 - Descriptive title of the invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table, or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description
- Claim(s) [Total Sheets 11]  
 Abstract of the Disclosure [Total Sheets 1]
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 40]
5. Oath or Declaration [Total Pages 3]
- a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*
- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

Attorney Docket No. A34060-A-A (090495.0285)

First Inventor De Brabander

Title SYNTHETIC \* see attached

Express Mail Label No. ER589232744US

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*a.  Computer Readable Form (CRF)

b. Specification Sequence Listing on:

- i.  CD-ROM or CD-R (2 copies); or  
ii.  paper

c.  Statements verifying identity of above copies**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))  
37 CFR 3.73(b) Statement  Power of Attorney
10.  (when there is an assignee)  Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other: Transmittal

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part (CIP)

of prior application No. 10/418,757

Prior application information: Examiner Owens, A.

Group Art Unit: 1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	21003 <i>(Insert Customer No. or Attach bar code label here)</i>		or	<input type="checkbox"/> Correspondence address below	
Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	
Name (Print/Type)	Rochelle K. Seide		Registration No. (Attorney/Agent)	32,300	
Signature	<u>Rochelle K. Seide</u>		Date	03/01/04	

22581 U.S. PTO  
10/790266

030104

**BAKER BOTTS LLP**

## Addendum Sheet 1

Att Docket #: A34060-A-A (090495.0285)

## \*Question 4 Addendum

4.a. Drawings are       formal       informal

## \* Question 5 Addendum

5.c.  An unsigned oath or declaration is included.

## \* Question 8 Addendum

8.d.  A sequence submission will follow.

## \* Question 9 Addendum

9.a.  Assignment documents will follow.9.b.  Assignment documents have been filed in  
parent application No. 09/922,372, recorded at Reel 013983, frames 0474-0478

## \* Question 11 Addendum

11.a.  English translation will follow.

## \* Question 12 Addendum

12.a.  Copies of IDS citations will follow.

## \* Question 15 Addendum

15.a.  Certified copies of priority documents will follow.15.b.  Certified copies of priority documents have been filed in parent  
application No.

Use the space below for additional information

Inventors - Jef De Brabander, Yusheng Wu

Title (continued):

SYNTHETIC SALICYLIHALAMIDES, APICULARENS AND DERIVATIVES THEREOF

**BAKER BOTTS LLP**

Att Docket #: A34060-A-A (090495.0285)

## Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-In-Part (CIP)  
Prior application information: \_\_\_\_\_ Examiner \_\_\_\_\_ of prior application No.: 10/418,757  
Owens, A. Group Art Unit: 1625

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     continuation-in-part (CIP)  
Prior application information: \_\_\_\_\_ Examiner \_\_\_\_\_ of prior application No.: 09/922,372  
Owens, A. Group Art Unit: 1625

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)      of prior application No.: \_\_\_\_\_

- Amend the specification by inserting before the first line the sentence(s)

"This application is a  Continuation  Divisional  Continuation-in-part (CIP) of:

"This application is based upon:  
prior application No.: , incorporated by reference herein,

which is a  Continuation  Divisional  Continuation-in-part (CIP) of:

which is based upon:  
prior application No. , incorporated by reference herein,

which is a  Continuation  Divisional  Continuation-in-part (CIP) of:

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which is a  Continuation  Divisional  Continuation-in-part (CIP) of:

which is based upon:  
prior application No. , incorporated by reference herein,

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

#### **Foreign Applications:**

Country: \_\_\_\_\_ Serial No: \_\_\_\_\_ Filing Date: \_\_\_\_\_  
Country: \_\_\_\_\_ Serial No: \_\_\_\_\_ Filing Date: \_\_\_\_\_  
Country: \_\_\_\_\_ Serial No: \_\_\_\_\_ Filing Date: \_\_\_\_\_

#### **Provisional Applications:**

Serial No:60/222,809 Filing Date:08/04/2000  
Serial No:60/252,856 Filing Date:11/22/2000  
Serial No: \_\_\_\_\_ Filing Date: \_\_\_\_\_

# BAKER BOTTS LLP

## FEE TRANSMITTAL for FY 2004

*Patent fees are subject to annual revision.*

TOTAL AMOUNT OF PAYMENT	(\$ 1,309)
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Complete if Known	
Application Number	Not Yet Assigned
Filing Date	February 25, 2004
First Named Inventor	De Brabander
Examiner Name	Not Yet Assigned
Group Art Unit	Not Yet Assigned
Attorney Docket No.	A34060-A-A (090495.0285)

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <b>02-4377</b>  Deposit Account Name <b>Baker Botts LLP</b>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>130</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>130</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>2,520</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>920*</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1,840*</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>420</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>950</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1,480</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>2,010</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>330</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>330</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>290</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1,510</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>110</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>1,330</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1,330</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>480</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>640</td><td>320</td><td>Plant Issue fee</td><td></td></tr> <tr><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>50</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>180</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>40</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>770</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>770</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>770</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>900</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	For filing a request for ex parte reexamination		920*	920*	Requesting publication of SIR prior to Examiner action		1,840*	1,840*	Requesting publication of SIR after Examiner action		110	55	Extension for reply within first month		420	210	Extension for reply within second month		950	475	Extension for reply within third month		1,480	740	Extension for reply within fourth month		2,010	1,005	Extension for reply within fifth month		330	165	Notice of Appeal		330	165	Filing a brief in support of an appeal		290	145	Request for oral hearing		1,510	1,510	Petition to institute a public use proceeding		110	55	Petition to revive - unavoidable		1,330	665	Petition to revive - unintentional		1,330	665	Utility issue fee (or reissue)		480	240	Design issue fee		640	320	Plant Issue fee		130	130	Petitions to the Commissioner		50	50	Processing fee under 37 CFR 1.17(q)		180	180	Submission of Information Disclosure Stmt		40	40	Recording each patent assignment per property (times number of properties)		770	385	Filing a submission after final rejection (37 CFR § 1.129(a))		770	385	For each additional invention to be examined (37 CFR § 1.129(b))		770	385	Request for Continued Examination (RCE)		900	900	Request for expedited examination of a design application	
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SUBMITTED BY		Complete if applicable		
Name (Print/Type)	Rochelle K. Seide	Registration No. (Attorney/Agent)	32,300	Telephone 212-408-2626
Signature	<i>Rochelle K. Seide</i>	Date	March 1, 2004	

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory; Express Mail Certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

**37 C.F.R. 1.8(a)**

with sufficient postage as first class mail.

**37 C.F.R. 1.10\***

as "Express Mail Post Office to Address"  
Mailing Label No. ER589282744US (mandatory)

Rochelle R. Seide  
Signature

Date: March 1, 2004

**Rochelle Seide**  
*(type or print name of person certifying)*

**\*WARNING:** *Each paper of fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing 37 C.F.R. 1.10(b). Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*